



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Casey Confoy, Senior
Management Assistant (PS8230J),
Thomas Edison State University and
State Library

Examination Appeal

CSC Docket No. 2019-2784

ISSUED: JUNE 14, 2019 (HS)

Casey Confoy appeals the determination of the Division of Agency Services (Agency Services), which found that he did not meet the experience requirement for the promotional examination for Senior Management Assistant (PS8230J), Thomas Edison State University and State Library.

The subject examination was announced with a closing date of September 21, 2018 and was open, in pertinent part, to employees who possessed a Bachelor's degree and two years of experience performing complex administrative support work that must have included the interpretation, verification and/or application of department/agency rules, regulations, policies and procedures. The appellant was the only applicant for the subject promotional examination, which was cancelled.

On his application, the appellant indicated possession of a Master's degree. He also listed his experience as a provisional Senior Management Assistant from September 2017 to the closing date, as a Technical Library Assistant from July 1996 to September 2017, and as a Principal Library Assistant from May 1987 to July 1996, all with the State Library. Agency Services determined that the appellant met the education requirement. However, none of his listed experience was credited. In this regard, Agency Services determined that the primary focus of the appellant's experience was work involving the processing of technical clerical work. Therefore, Agency Services deemed the appellant ineligible since he did not meet the experience requirement set forth in the announcement.

On appeal to the Civil Service Commission, the appellant maintains that his duties since 2014 is applicable experience and should be credited. The Chief Financial Officer (CFO), the appellant's current supervisor and the appellant's former supervisor all concur, as described below.

The CFO indicates that the appellant took over full management of JerseyCat, the State Library's statewide interlibrary loan system, in 2014 while serving in the title of Technical Library Assistant. She states that in addition to overseeing all administrative aspects of this complex system, the appellant ensures that the interlibrary loan vendor makes good on contractual responsibilities for the State Library and the 400 public libraries that utilize the system. The CFO also states that all of this takes a high degree of autonomy; the ability to understand multifaceted systems and contracts; and the capacity to provide instruction and guidance to end users, *i.e.*, public libraries.

The appellant's current supervisor indicates that the appellant has been functioning in the capacity of a Senior Management Assistant and notes that the appellant has been the sole individual overseeing JerseyCat. He handles library staff inquiries; performs training with the software vendor as well as on his own; and resolves problems with software in conjunction with the vendor. The appellant functions autonomously while also keeping her informed as to any information he believes she may need to be notified about.

The appellant's former supervisor indicates that in addition to running JerseyCat, the appellant took on the role of continuing education, requiring him to conduct in-person trainings in the field. He has also served as a copy proofreader for the Library Development Bureau and the Marketing Department.

Agency records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that, except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

Initially, Agency Services correctly determined that the appellant was ineligible for the subject examination because he lacked the requisite amount of creditable experience as of the September 21, 2018 closing date. On appeal, the appellant states that he performed applicable duties while serving in the title of Technical Library Assistant from 2014 to September 2017 and the title of Senior

Management Assistant from September 2017 to the closing date. Although the appellant's performance of applicable duties while serving in the title of Technical Library Assistant would be considered out-of-title work, the appellant's superiors confirm his performance of applicable duties since 2014. This represents approximately four years of applicable experience. Moreover, the record evidences that the examination situation is not competitive since the examination was cancelled given that the appellant, the sole applicant, was deemed ineligible. Further, the appellant continues to serve provisionally in the subject title. As such, good cause exists in this particular case to accept the appellant's out-of-title work experience, for eligibility purposes only, and admit him to the examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded and the appellant's application be processed for prospective employment opportunities.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 12TH DAY OF JUNE, 2019



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